

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

LYNN J. OLSEN, II (1), MARK G.
PETERSON (2), BLAKE T. BENNETT
(3), JEFFREY J. GORDON (4), OLSEN
AG, INC. (5), POCO, L.L.C. (6),
TRI-CITIES PRODUCE, INC. (7), and
FRED F. ACKERMAN (8),

Defendants.

Nos. CR-11-6001-EFS-1
CR-11-6001-EFS-2
CR-11-6001-EFS-3
CR-11-6001-EFS-4
CR-11-6001-EFS-5
CR-11-6001-EFS-6
CR-11-6001-EFS-7
CR-11-6001-EFS-8

**ORDER GRANTING IN PART AND DENYING
AS MOOT IN PART THE DEFENSE MOTION
FOR ENTRY OF JUDGMENT AND ORDER OF
DISCHARGE**

Before the Court, without oral argument, is Defendant Mark G. Peterson's Motion for Entry of Judgment and Order of Discharge, ECF No. 1265. In light of the dismissal of all counts against all Defendants, see ECF No. 1264, Defendant Peterson asks for the entry of formal judgment as to the acquitted counts and a formal discharge from the conditions of release. Given the nature of the relief requested under the circumstances of this case, the Court considers this motion to be filed on behalf of all Defendants. It is not this Court's practice to enter judgment in criminal cases other than for sentencing purposes; rather, the respective orders of dismissal serve as the final order resolving the counts. Because by separate order, ECF Nos. 1167, 1263, & 1264, and verdict, ECF No. 1249, all counts against each

1 Defendant were resolved in their favor, Defendants are discharged from
2 their previously imposed conditions of pretrial release as of July 12,
3 2013: the date the order resolving the final remaining counts against
4 the Defendants was entered.

5 Accordingly, **IT IS HEREBY ORDERED:**

6 1. Defendants' Motion for Entry of Judgment and Order of
7 Discharge, **ECF No. 1265**, is **GRANTED IN PART** (released from
8 supervision) **and DENIED AS MOOT IN PART** (entry of formal
9 judgment unnecessary).
10

11 2. All Defendants are **DISCHARGED** from their previously imposed
12 conditions of pretrial release, *nunc pro tunc* to July 12,
13 2013.

14 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this
15 Order and provide copies to counsel and the U.S. Probation Office.

16 **DATED** this 16th day of July 2013.

17
18
19 _____ s/ Edward F. Shea _____
EDWARD F. SHEA
20 Senior United States District Judge
21
22
23
24
25
26
27
28